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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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AES Sparrows Point LNG, LLC and Docket No. PF06-22-000
Mid-Atlantic Express, LLC
- - - - -

Sparrows Point Project

East Brandywine Fire Hall
2096 Bondsville Road
Downingtown, Pennsylvania

Tuesday, June 6, 2006

The scoping meeting, pursuant to notice, convened at
7:10 p.m., before a Staff Panel:

JOANNE WACHHOLDER, Environmental Project Manager,
Federal Energy Regulatory
Commission

RICHARD YUILL, Ph.D., AMEC Paragon

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1 I N T R O D U C T I O N

2 MS. WACHHOLDER: Good evening. I'd like to get
3 started now. First off, I'd like to thank you all for
4 coming. My name is Joanne Wachholder, I'm the Environmental
5 Project Manager for the Federal Energy Regulatory
6 Commission, or FERC for short. Seated with me here tonight
7 is Richard Yuill, representing the FERC environmental
8 contractor AMEC. In addition at the back table we have
9 Laura Turner, also with FERC; and Bob Honig and Randy
10 Mathura from AMEC.

11 The purpose of tonight's meeting is to provide
12 each of you with an opportunity to give us your
13 environmental comments on the proposed Sparrows Point LNG
14 project and to tell us what environmental, safety, and
15 security issues you think we should address in our analysis
16 of the project.

17 Before we describe our review process, I will
18 provide an overview of the project. AES Sparrows Point
19 proposes to construct an onshore LNG import and storage
20 terminal on the West shore of Sparrows Point south of
21 Dundalk, Maryland. The facility would consist of a 500 foot
22 marine finger pier access trestle and unloading platform,
23 supporting two unloading berths. In addition, it would
24 include a turning basin, an entrance channel, and three
25 160,000 cubic meter net capacity full containment LNG

1 storage tanks.

2 Also as a part of the project, as you are well
3 aware, Mid-Atlantic Express proposes to construct an 87-
4 mile, 28-inch natural gas send-out pipeline extending north
5 from the terminal in Baltimore to local interconnects with
6 the BG&E pipeline system, and to interconnects with existing
7 pipelines of Transco, Tetco, and Columbia Gas Transmission
8 near Eagle, Pennsylvania.

9 I will briefly describe the FERC process. I'd
10 like to clarify that the Sparrows Point project was not
11 conceived by and is not promoted by FERC. FERC reviews
12 applications for the import of natural gas, and Sparrows
13 Point is in the process of preparing an application to
14 submit to FERC. The Sparrows Point project is currently in
15 our prefiling process; a formal application has not yet been
16 filed at FERC.

17 One thing I would like to stress about the
18 prefiling process is that, as a permit processing agency,
19 FERC has no ability to stop an applicant from deciding to
20 file an application. We do however, by regulation, review
21 all applications for minimum filing requirements that must
22 be addressed in order for FERC to accept and begin
23 processing an application.

24 Once the application is submitted, our obligation
25 is to review that application and prepare an analysis of the

1 environmental impacts. Other federal and state agencies
2 have permit and review responsibilities associated with the
3 project, and we are coordinating our review with them. Some
4 of these agencies include the U.S. Coast Guard, the U.S.
5 Army Corps of Engineers, the U.S. Fish & Wildlife Service,
6 National Marine Fisheries Service, the U.S. Environmental
7 Protection Agency and the U.S. Department of Transportation.

8 The FERC staff's environmental and engineering
9 analysis will result in the generation of an Environmental
10 Impact Statement or EIS. FERC is the lead federal agency
11 tasked with preparing the EIS. An EIS contains an analysis
12 of impacts to resources.

13 With that said, we request that your comments
14 tonight focus on the potential effects of the project.
15 Specifically, we are here to ask for your help in
16 identifying potential impacts to both the human and natural
17 environment. We have already received several comment
18 letters addressing such issues as: potential impacts of LNG
19 ship traffic on other Chesapeake Bay and Patapsco River
20 users; safety and security concerns at nearby communities;
21 potential impacts of dredging contaminated sediments on
22 water quality and fisheries, and impacts from the
23 construction of pipelines through congested easements, to
24 name a few.

25 Even though we are still in the preliminary

1 review stages, we already know that we will be working
2 closely with the Coast Guard in regard to the safety and
3 security of vessel traffic. Also, the U.S. Army Corps of
4 Engineers will provide their expertise in review of any
5 proposed dredging activities as well as wetlands and water
6 bodies.

7 In our Notice of Intent, issued on May 16, we
8 requested your comments and assigned a deadline of June 16.
9 We will, however, take comments throughout the review
10 process beyond that date. However, we ask that you provide
11 comments earlier in the process in order to give us time to
12 analyze and research the issues.

13 A speakers list is located at the back table, and
14 we will use that list to identify individuals wishing to
15 provide verbal comments on the Sparrows Point Project. In
16 addition to verbal comments provided tonight, we will also
17 accept your written comments. If you have comments but
18 don't wish to speak tonight, you may provide written
19 comments on the comment forms at the back table, and you can
20 drop those off with us tonight or you can mail them at a
21 later date.

22 It is very important that any comments you send
23 include our internal docket number for the project, which is
24 Docket No. PF06-22. It's on the form as it is in the
25 mailings that we sent you.

1 I would like to mention that the Commission
2 strongly encourages electronic filing of written comments,
3 as well. The instructions are in the notice or can be
4 located at our website, which is www.FERC.gov, under the
5 eFiling link.

6 In addition, we offer a free service called
7 eSubscription, which allows you to keep track of all formal
8 issuances and submittals for specific projects, which we
9 organize, as I said, into dockets.

10 If you register with eSubscription, you will
11 automatically be notified by e-mail of these filings, and
12 you will be provided links to access the documents. You can
13 register for this service at our website under the
14 eSubscription link. There are some forms at the sign-in
15 desk that provide the web address and instructions as well.

16 We consider the prefiling process to be, among
17 other things, an extension of our scoping process. The
18 scoping process is a learning process, is where we educate
19 ourselves about the project and the potential issues.
20 During the scoping process, we are gathering information and
21 we are using a number of different sources for that
22 information.

23 The four general sources that we are using right
24 now are: Information provided by the applicant; input from
25 other agencies, our own field work and research of different

1 issues, and information from the public.

2 Once we gather the information during the scoping
3 process, and an application is filed, we will analyze it and
4 prepare a draft Environmental Impact Statement or draft EIS
5 that will be distributed for comments.

6 There are two general ways that you can get a
7 copy of the draft EIS. First of all, the Notice of Intent
8 that we sent out has an attachment on the back of it that
9 you can fill out and mail back to FERC. Secondly, you can
10 add your name to the mailing list form at the table where
11 you came in. If you don't do one of these things, we won't
12 be able to send you a copy of the draft EIS. In either
13 event, please indicate whether you would like a CD-ROM copy
14 or a paper copy of the draft EIS.

15 After the draft EIS is issued, there's a 45-day
16 comment period. During that period we will normally have
17 another public meeting similar in format to this one. We'll
18 probably come back here to the same facility, if it's
19 available, and ask you to comment on the information
20 provided in the draft EIS.

21 At the end of the 45-day comment period, we begin
22 organizing all the information gathered to date and
23 preparing the final EIS. The EIS does not make a final
24 decision the project; it's very important to understand.
25 It's prepared to advise the Commission and to disclose to

1 the public the environmental impact of constructing and
2 operating the proposed project.

3 When it's finished, the Commissioners at FERC
4 will consider the environmental information from the EIS,
5 along with non-environmental issues such as engineering,
6 markets and rates, in making its decision to approve or deny
7 the project.

8 If the Commission does vote to approve the
9 project, FERC environmental staff will monitor the project
10 through construction and restoration, performing onsite
11 inspections, to ensure environmental compliance with the
12 conditions of the FERC certificate.

13 At this time we will begin taking comments. As
14 your name is read, I would like you to come up to the podium
15 and state your name for the record. All of your comments
16 will be transcribed and put into the public record for the
17 project. Because your comments are being transcribed,
18 please only speak when you're at the microphone in order for
19 us to accurately record your comments.

20 In your comments, I ask that you try to be as
21 specific as possible with your environmental or safety and
22 security concerns. The meeting is scheduled to conclude
23 around 10 p.m., and we have more than two and a half hours
24 and about 25 speakers. So in the interest of allowing as
25 many speakers as possible, I'd like you to keep your

1 sometimes brief, preferably in the five minute range. If
2 your comments have been previously stated by another
3 speaker, you may also allow additional time for other
4 speakers by simply stating that you endorse the comments
5 provided by a previous speaker.

6 Thank you for your consideration. Now we'll
7 start with the names.

8 PUBLIC SPEAKERS

9 DR. YUILL: Good evening. My name is Richard
10 Yuill. I'll read two names at a time so that the second
11 person can get ready.

12 John Roughan, from the Township. And Becky
13 Corbin will be second.

14 MR. ROUGHAN: Thank you. My last name is spelled
15 R o u g h a n; John J. Roughan, Jr. And I'm the Township
16 Manager of Upper Uwchlan Township. And I'm sure many of the
17 speakers this evening will express their concerns relative
18 to safety matters, as well as the environmental issues
19 confronting this major project, especially in Upper Uwchlan,
20 which is located in a high quality water district, where
21 many of our feeder streams enter into Marsh Creek Lake Park,
22 which is a major water source for many, many communities in
23 this area.

24 But what I'd like to do formally this evening is
25 to alert this body that the Township will be submitting some

1 alternate routes that we believe this pipeline could take,
2 especially within our municipality to avoid, as we noted,
3 congested easements as well as existing developments. So
4 I'd like the record to show that the Township will be
5 forwarding and submitting, pursuant to the FERC's rules and
6 regulations, exhibits plotting out other alternate routes
7 that the pipeline could carry. Thank you.

8 DR. YUILL: Thanks very much.

9 Becky Corbin? And Hal Harper will be next.

10 MS. CORBIN: Thank you. My name is Becky Corbin,
11 C o r b i n, and that's Becky as in Rebecca.

12 I'm here representing State Representative Curt
13 Schroder, who was unable to be in attendance this evening.
14 He did want me to listen to the concerns, safety and
15 otherwise, that will be addressed by the residents that are
16 in this audience, as a part of this pipeline will be going
17 through his district.

18 Thank you.

19 DR. YUILL: Could you also give us, for the
20 record, the spelling of the Representative's name?

21 MS. CORBIN: Yes. It's Curt, C u r t and
22 Schroder, S c h r o d e r. And that's the 155th Legislative
23 District.

24 DR. YUILL: Thank you.

25 Hal Harper, and Richard Worthington will be next.

1 MR. HARPER: I'd like to begin by thanking FERC
2 for the opportunity. My name is Hal Harper. My wife and I
3 live one and a half miles from the northern end of the
4 proposed 87 mile pipeline.

5 My remarks are really going to address the
6 emotional issues associated with the pipeline; it will cross
7 our property, not as close as it will be to some of our
8 neighbors, however; but close enough to destroy our sense of
9 security, diminish our well-being, and lower the value of
10 our property.

11 My question tonight is: When is enough enough?
12 Between Georgia and Maine there are already three LNG
13 terminals, a fourth LNG terminal has already been approved
14 for construction. According to your web site, there are six
15 more proposed on land, including the Sparrows Point terminal
16 plus expansion of an existing terminal and two proposed
17 offshore terminals. That gets back to when is enough
18 enough?

19 Columbia Gas, three years ago, with your blessing
20 and approval, expanded one of their two pipelines to
21 transport LNG southward through our neighborhood. Now an
22 extremely large energy company wants to build a new pipeline
23 to transport LNG northward through our neighborhood.

24 I don't believe this proposed pipeline is to
25 alleviate a problem of not enough gas in the Northeast. I

1 believe its construction and operation is to generate more
2 profits for an already rich company. I, we, do not condemn
3 any company for making money, but does the increased revenue
4 have to be at the expense of the security, well-being and
5 property value of hundreds of homeowners along its path?

6 If this pipeline were to explode close to or
7 under PA Route 100, it would not leave Upper Uwchlan with
8 many ways to evacuate or move emergency equipment around,
9 possibly also true for other areas that it goes through. We
10 do not understand a federal regulatory body even considering
11 allowing a pipeline with that potential to harm to be built
12 through neighbors where people live and children play on the
13 streets and lawns. Is there not a conscious in the FERC
14 bureaucracy?

15 You have already received dozens of letters
16 identifying myriads of reasons why the pipeline and terminal
17 should not be allowed. I'm not going to go over those
18 opportunity. I get all the copies of your letters, so I'm
19 well aware of what you've already seen.

20 We're here tonight collectively to request that
21 you deny the application.

22 (Applause)

23 DR. YUILL: Thank you very much.

24 Richard Worthington and then Dwayne May.

25 MR. WORTHINGTON: Richard Worthington, 28 Blakely

1 Road, Downingtown, Pennsylvania. My main concern deals with
2 a 45-foot easement, which is a Columbia Gas line, and they
3 intend to put this 28 inch line in the same easement. That
4 easement now has a 36-inch line, an 8-inch line, and a fiber
5 optic cable in it; they were all Columbia.

6 I do not feel that putting a third gas line in
7 there is going to do anything but create havoc; I don't
8 think they can get it in without taking the corner of my
9 house, and I'm really very upset about the lies that we've
10 been told by all the others -- Columbia, they never follow
11 through on anything, and I don't feel these people will be
12 any different. So I feel this should be denied.

13 (Applause)

14 DR. YUILL: Thank you.

15 Dwayne May and Bill Vache.

16 MR. MAY: My name is Dwayne May, M a y.

17 I had a lengthy talk with a guy when I first got
18 here and kind of poured out my heart. I just feel like the
19 government has failed us in so many ways that everybody
20 knows about, and this is just another way that they have
21 failed to maintain the right-of-way. I sympathize with
22 people who have the gas line right-of-way on their property
23 already, but now they're asking for more because they have
24 failed to maintain the ones there now, can no longer use
25 them in certain instances, as in my case. I don't have a

1 gas line on my property, I don't wish to have one on my
2 property, I don't wish to pay taxes on a gas line or
3 property that has someone else's prosperity or profit for
4 their business on my property. I just think it's wrong,
5 it's un-American, should be illegal.

6 And I had a good long talk, so I had a lot more
7 to say, but I kind of poured my heart out to one of your
8 representatives already. So thank you.

9 (Applause)

10 DR. YUILL: Go ahead.

11 MR. VACHE: My name is Bill Vache, V a c h e. I
12 live in Windsor Ridge, which is in Upper Uwchlan Township;
13 I'm one of Hal Harper's neighbors. I agree with what Hal
14 said in terms of all the concerns and considerations that
15 have been addressed in terms of the pipeline coming through.

16 The one area I'd like to address specifically is,
17 AES has requested an additional right-of-way adjacent to
18 Columbia's existing right-of-way. Right now I have a
19 cleared swath through my property of about 60 feet from when
20 Columbia came through four years ago. Now AES wants to go
21 adjacent to that, plus another 25 feet. I don't care how
22 they put the pipeline in. They said "Well, maybe we'll
23 burrow under the trees." You know they're going to make me
24 take the trees down if they get the right-of-way anyhow.

25 So now I have a house I can't give away, because

1 I now have an 85 foot cut through my property; the pipeline
2 will be probably 15 feet from my house. There are other
3 houses in our neighborhood where the pipeline will go
4 directly up to the house or almost take away the garage.

5 So I support John Roughan's suggestion that you
6 consider alternate possibilities rather than it through our
7 neighborhoods and in essence making our property worthless.

8 DR. YUILL: What again is the name of your
9 subdivision?

10 MR. VACHE: Windsor Ridge. W i n d s o r --

11 AUDIENCE: Place.

12 MR. VACHE: Sorry, Windsor Place. There is a
13 Windsor Ridge, which you will see tomorrow in your tour. So
14 Windsor Place.

15 MS. WACHHOLDER: That's the other thing I wanted
16 to mention. We are having our drive-through of the route
17 tomorrow morning. We're meeting here at 8, and then we're
18 starting at the end of the line at the compressor station
19 stuff and moving down towards Bel Air. And if there's a
20 site that you want us to try and hit, please before you
21 leave, just meet with us and we'll try and figure out on the
22 maps of we can get there tomorrow.

23 DR. YUILL: Earl Macomber and then Mary
24 Rutherford.

25 MR. MACOMBER: Hi, I'm Earl Macomber from 3

1 Buckingham Drive, a neighbor of Bill Vache and Hal Harper.

2 I agree with both of their comments.

3 In addition, the pipeline doesn't run through my
4 property so I'm not considered directly affected, but it is
5 within 100 feet of my front porch. I'm certainly within the
6 blast zone of any potential problems there. In addition, I
7 think it should be completely denied for a lot of reasons
8 which you know, environmentally and economically, et cetera.
9 In addition, I also think that any impact should be looked
10 at not the current population of specifically our township
11 which is growing dramatically, but the projected population,
12 which is going to be significantly different than where we
13 are right now.

14 I am very concerned about the safety in our
15 development; and any and all alternatives should be looked
16 into, short of a denial, regardless of cost. Thank you.

17 (Applause)

18 DR. YUILL: Mary Rutherford and Michael Banis.

19 MS. RUTHERFORD: Hi, I'm Mary Rutherford. I live
20 at 2 Buckingham Drive in Windsor Place. And I agree with
21 Bill, Hal, and Earl.

22 My concerns are more around the safety record of
23 AES. And I would like to be able to take a look at the
24 record that FERC is reviewing, and have that document be
25 available to the public.

1 I have two small children that play in the front
2 yard, and these pipelines, already I have two currently
3 going through my front yard. This will come closer to my
4 home. My children play in this yard, and I really would
5 like to not have to live through the anxiety of having
6 another pipeline put through my yard, and I'm sure my
7 neighbors, who have been through the Columbia, would
8 appreciate that, too.

9 This pipeline will also run by our bus stops,
10 under our parks, close to our schools, so I'm very concerned
11 about the safety issues. I would request the FERC deny or
12 alter the route.

13 (Applause)

14 DR. YUILL: Michael Banis and Bob Supplee.

15 MR. BANIS: Good evening. My name is Michael
16 Banis. I'm in Windsor Place with this crew over here. Tudor
17 Lane.

18 I respectfully ask that this project be denied,
19 for the following reasons. We're looking at a large
20 pipeline coming into close proximity.

21 This pipeline would come into close proximity to
22 many residential homes, through quiet neighbors, through
23 mature, wooded developments; they're clearing large swaths,
24 creating large line-of-site areas in an otherwise treed
25 area. It's an eyesore; neighbors now come through and ask

1 "What happened to your neighborhood? Why is this long
2 straight line?" It's not getting any better.

3 There are the obvious construction concerns.
4 We're also concerned about the long-lasting exposure to the
5 risk imposed by this line. And I further agree with the
6 rest of the comments that have been made so far. Thank you
7 for your time.

8 (Applause)

9 DR. YUILL: Bob Supplee and George Supplee.

10 MR. BOB SUPPLEE: Yes, I'm part of the Supplee
11 contingent, the Supplee farm. I guess I share all of the
12 safety and environmental concerns that other speakers have
13 talked about. Specifically with respect to our site,
14 however, there is an existing pipeline going through the
15 farm, in one location. The new proposed pipeline takes a
16 totally different route; and probably if you tried to pick a
17 spot in the farm that would most interfere with the use of
18 the farm, it's the proposed right-of-way.

19 So we feel that the existing right-of-way should
20 be used rather than the alternate route that's now being
21 proposed across the farm.

22 MS. WACHHOLDER: Also, if you want to identify
23 with us later where you are on the route, we can take a look
24 at it tomorrow, too.

25 MR. BOB SUPPLEE: Yes. My brother is going to be

1 there, so.

2 MS. WACHHOLDER: Great. Thank you.

3 DR. YUILL: George Supplee?

4 MR. GEORGE SUPPLEE: Yes, George Supplee.

5 I have a personal experience on a pipeline being
6 hit by a driller. I was working for an employer in
7 Wilmington, Delaware at the time, and I was the engineer at
8 the facility in the early 1990s, and they were, a contractor
9 was hired by DelDot, Delaware Department of Transportation
10 to do test borings, to put in an alternate route for a road;
11 and they hit our 6-inch plastic line.

12 The rig caught on fire, the fuel tanks exploded,
13 the guys attending the rig were lucky they got away without
14 serious injury. It was a 20 psi line, and it was a 6 inch
15 line. A 20 psi line is less than one percent of the size
16 of the line that you're proposing. The flames shot 50 to
17 100 feet in the air, the pipeline that was hit was a 6 inch
18 line which, if you go by the volume, it's a square, and
19 therefore, it's less than one-half of one percent of the
20 size of the pipeline you're proposing; a 28-inch line is
21 that much larger.

22 So what we're talking about is not a small
23 shooting flame in the air, if somebody hits the line or
24 anything like that. And we're not talking about a little 20
25 psi line, we're talking about 2200 psi, which is a lot of

1 pressure and it's going to push a lot of stuff around.

2 The tires of the rig were burned completely down.
3 The only thing that was left were the steel bands in the
4 tires, left on the rig. They said it was completely burned
5 up.

6 My second point is that Columbia already has a
7 right-of-way through our property; and now they're proposing
8 to put another line through on an obtuse angle with that,
9 and so they're going to put two lines through both sides of
10 our property now.

11 In addition to that, we have an AT&T line -- I
12 think it's an AT&T; it's a telephone line, anyway, running
13 through the property also. So now we've already got two
14 utility lines going through our property, this will be a
15 third line going through it, and this is by far the largest,
16 I think; I'm not sure.

17 The second thing is, I'd like to speak to the
18 people who we vote for and talk to them about open space.
19 We've kept our farm open space, it's being farmed, and
20 everyone around us likes having a farm there rather than
21 having a big housing development or something else.

22 So the reward we get for having open space is we
23 get another pipeline through our property, because that's
24 more ideal to put a pipeline through than through any
25 existing right-of-way.

1 Thank you.

2 (Applause)

3 DR. YUILL: Jack Pon and then David Sweeney.

4 MR. PON: Jack Pon, I live in Uwchlan Hunt.

5 The concerns I have are specifically regarding
6 the placement. I think as citizens we all understand
7 sometimes the greater good does overcome the individual
8 needs, but in this particular case there are two questions I
9 want to raise. One is the need for such a pipeline, both
10 from the socioeconomic point of view; I mean, we all know
11 how much we need energy every time we go to the gas station.
12 But if we already have existing, unused pipelines which are
13 running through these existing easements, I'm wondering what
14 is the compelling need that we have to put in an additional
15 pipeline? I would hope that our government can find a way
16 to induce sharing between corporate bodies and a way that is
17 maybe less economically beneficial to them but more
18 sociologically beneficial to the rest of us.

19 The second part of this is, there is an existing
20 easement that runs all the way up Strubel Trail and through
21 our neighborhood. The original easement was expanded
22 recently, it's a Columbia pipeline. This expansion, we
23 didn't realize what the impact was going to be. Tomorrow as
24 we go through the site, I urge you to take a look at what it
25 has done to Strubel Trail. You're probably aware, this area

1 was stricken almost 100 years ago with the Dutch elm and the
2 combination of the elms and the chestnut blights, and we're
3 just now starting to get some overgrowth forest back. A
4 huge chunk of that was taken out for the Columbia pipeline.

5 If there's a compelling need for us to have this
6 pipeline here, again I would like to urge that it goes into
7 the existing easement, and it's done in such a way that it's
8 both safe and it doesn't further do that. 25 feet
9 additional, which is what I'm hearing; but I think we're
10 going to find that's going to be 50 feet additional easement
11 into these properties will destroy the open space that's
12 left in Uwchlan Hunt, which is my neighborhood. And it's
13 also going to run, for those of you who go up Strubel Trail,
14 it will cross the Strubel Trail if it's put on the east
15 side, as what they're showing. And that's a fairly
16 significant impact to the visual part of our neighborhood.

17 Not to mention, I still can't believe it's
18 necessary to have an additional easement into this area.

19 (Applause)

20 DR. YUILL: David Sweeney and Jim Tupitza.

21 MR. SWEENEY: David Sweeney, 315 Rock Raven Road
22 in Downingtown.

23 I agree with every speaker tonight so far.

24 We're extremely concerned for our own safety
25 about this pipeline. There are two pipelines currently on

1 our property. The 24-inch pipeline is approximately 18 feet
2 from our home, and the 14-inch pipeline is approximately 25
3 feet away. The existing pipelines, which we estimate to be
4 about 7 feet apart, already have degraded the topography of
5 our property, causing water damage issues to our home in the
6 basement, and our septic grade system.

7 We also object to the proposed route because
8 coming through our property, and it's something, the reasons
9 we are including are, not enough room in the existing
10 easement on our property to squeeze in another 28-inch line;
11 depreciation of the property value; disruption of use of our
12 own property during this construction, and the renewal of
13 our yard, which takes years to mature.

14 We're very concerned about existing pipelines
15 rupturing during the construction of the new pipeline. The
16 loss of the use of our property if the easement is expanded,
17 which additional loss of trees, shrubs and plantings. Also,
18 the additional loss of the habitat for the wildlife we have;
19 turtles, toads, fox, raccoon, possums, skunks, owls, red
20 tail hawks, chipmunks, wild birds native to this area, and
21 our domestic pets, cat and dog.

22 There's also possible injury to ourselves, and
23 members of our family. I have 13 grandkids; they run all
24 around the place.

25 The stress factor of having yet another pipeline

1 coming through our property, disrupting our lives and
2 invading our privacy is very diminishing of my thought. The
3 added labor of keeping the home clean inside and out, the
4 dust and dirt will contribute more negatively to our
5 existing asthmatic health conditions.

6 We are hoping FERC will concur with our concerns
7 and advise AES to use the alternative route which was
8 presented to us during the last meeting.

9 Now I have a few other items here. I would like
10 to know, what is the safe distance between the existing
11 pipelines? I'm not sure you can give me an answer now.

12 MS. WACHHOLDER: Not really.

13 MR. SWEENEY: I couldn't get an answer the last
14 time I asked the FERC panel.

15 MS. WACHHOLDER: The best answer I can give you
16 is that it's regulated by the Department of Transportation.
17 They have regulations as far as distance between pipelines
18 and residences and stuff like that. If you want, I can try
19 and find that out for you, maybe.

20 MR. SWEENEY: Well, that's what I said the last
21 time I was here, but I never got any response.

22 I'm also concerned about this being another case
23 of a foreign source of energy that America is becoming
24 dependent on. This is foreign gas, is it not?

25 Yes or no.

1 MS. WACHHOLDER: Probably so. If it's LNG, it
2 usually comes from other countries; it's shipped here.

3 MR. SWEENEY: The last thing I want to say is, we
4 bought our home 18 years ago. It was a beautiful, rural
5 wooded area. Now since then, we have had development, but
6 besides that, we've had the pipeline come through numerous
7 times. The first time they lied to us. The guy told me 'we
8 were going to bring a fiber optic cable line through, he was
9 going to run a Ditch Witch through my property, and that
10 would be it.

11 Well, that was the first lie. They brought a
12 backhoe through, and it wasn't easy. They were out there
13 six additional times since they finished, to have myself
14 satisfied with their work, because they just tore the place
15 up.

16 Like I said, we moved out there because it was
17 nice quiet, rural, and we like the wildlife, even though the
18 deer kill my tulips and my corn. But I live there. They
19 live there, too; they've been there longer than I have. So
20 I'm very concerned.

21 Thank you very much for your time.

22 (Applause)

23 DR. YUILL: Would you tell us the location of
24 your land?

25 MR. SWEENEY: I live on 315 Rock Raymond Road.

1 It's right up here by the high school. And there's a middle
2 school and a high school right down the road, which could
3 be, it's a concern if there's a problem.

4 MR. TUPITZA: My name is Jim Tupitza, T u p i t z
5 a. My wife and I live at 300 Youngs Road, Coatesville, and
6 we have a portion of our property that is in West Bradford
7 Township, which is tax parcel 50-7-1; and the segment of the
8 pipeline that I'm going to be discussing with you is the
9 area between Strasburg Road near the Village of Romansville,
10 down to Laurel Road, where it will go under the Brandywine
11 River.

12 My wife and I like to please our neighbors,
13 maintain open space in the old fashioned way: In Chester
14 County, everybody talks about open space, and we do it, as I
15 said, in the old fashioned way, we farm it. And we keep it
16 open. The property that is immediately to the north of us
17 is owned by a company by the name of Gentera. They're a
18 real estate developer.

19 They bought their property, knowing that they had
20 the pipeline easement going through it, and presumably paid
21 a price based on what the value was with the pipeline going
22 through it; but it's my understanding from speaking with one
23 of the pipeline representatives that the pipeline wants to
24 be relocated so that it won't interfere with the developer's
25 plans to sell the new homes, and diminish the profits that

1 he'll make in the sale of those homes.

2 The concern I have is that the place that they
3 want to relocate it is directly in the woods between where
4 those homes will be and our farm fields; and we spend a lot
5 of effort keeping the ATVs and 4 wheel drive trucks out of
6 our farm fields after it rains, because boys like mud. And
7 in addition, and of even greater concern is the proposal to
8 extend it out beyond our farm field and through a forest
9 that we have. And that forest is rather unique. It is as
10 close to a first growth forest as anything that I've ever
11 seen in this part of Pennsylvania.

12 This farm that we farm has been in the family
13 since 1969 when it was acquired to be attached to the
14 adjoining farm that had been in the family since the 1740s,
15 and there are no records in any of the family records of the
16 woods ever being cut. So when you're in these woods, you
17 find something that is extremely unique environmentally; you
18 find beech trees that have a diameter of six to eight feet,
19 you find oak trees of a similar size, and you find no
20 significant growth of invasive species. Principally because
21 we spend significant time in the woods killing off the
22 multiflora, killing of the other things, and we know that
23 where the pipeline easement is, where the fiber optic line
24 went in, we know that anywhere near there that you walk, you
25 have multiflora everywhere, and it's taking over the woods.

1 I echo what Mr. Supplee and some of the other
2 people said, which is, there's an existing pipeline. The
3 easement has already cut its scar across this county, and I
4 can't see a reason -- I can't see as one reason, anyway, for
5 relocating it, helping a developer get more profits from the
6 sale of homes that he wants to build. Perhaps the existence
7 of a new pipeline might slow down the sale of some of those
8 homes and keep some of that space open a little bit longer.

9 But I would like to not have that segment of the
10 pipeline relocated from an area that is currently open and
11 graded for the construction of all the roads, and the trees
12 have been cleared and relocated into a prime forest area
13 that's never been cut.

14 (Applause)

15 DR. YUILL: Charlie Lobb and Lisa Van Houten.

16 MR. LOBB: I'm Charles Lobb, one of the
17 supervisors from Upper Uwchlan Township, and I just want to
18 echo what our Township Manager John Roughan reported to you.

19 First, we are host to nine large lines going
20 through our township. And that was okay when we were urban
21 or a rural scene. We are now an urban scene, and the
22 pipeline that would be brought into our township would be
23 very intrusive to three developments in our township.

24 We're opposed to an additional pipeline; we think
25 we've been plenty generous in hosting the other pipelines.

1 So therefore our engineers will propose, if you'll accept
2 it, one to three additional routes that would be less
3 intrusive to neighborhoods, that would be easily accessible
4 and less threatening in case there's an emergency.

5 (Applause)

6 MS. WACHHOLDER: One point with alternatives, if
7 you want to file alternatives that you're requesting, be as
8 specific as you can. If you have maps and you want to draw
9 on them, those are great; it gives us something to start
10 with for when we come back to look at that sort of stuff.

11 DR. YUILL: Lisa Van Houten and then Dawn Cassel.

12 MS. VAN HOUTEN: Lisa Van Houten, Victoria
13 Crossing Homeowners Association. I'm here on behalf of the
14 homeowners. I probably have more questions than comments at
15 this point in time, because I think we need more
16 information. Some of it's been addressed already, but I'll
17 probably touch on it briefly.

18 The distance from the existing gas line to where
19 the proposed gas line is, I've heard varying distances, from
20 10 feet to 25 feet. I'd like to get a clarification on
21 that; and somebody said it was up to the DoT to make that
22 decision?

23 MS. WACHHOLDER: There are regulations. I think
24 the minimum -- actually, I don't know, I shouldn't say. But
25 I know for other projects we've recommended that they try to

1 put the other pipeline 25 feet from the existing one to keep
2 the easement tighter; and in some areas they've been as far
3 as 10 feet away in other projects. I don't know what is
4 proposed yet for this one; they haven't provided that level
5 of information yet.

6 MS. VAN HOUTEN: Okay. The DoT should be here.

7 MS. WACHHOLDER: The DoT reviews our stuff, too,
8 so they'll be involved. He was supposed to come tonight,
9 but I think his boss wanted him to go to another meeting.

10 MS. VAN HOUTEN: Okay. Another issue that I have
11 is when -- and actually, our subdivision is Figure 36. I
12 don't know if that helps you on your tour tomorrow.
13 Marshallton-Thorndale Road and Poorhouse, near the pumping
14 station, Columbia pumping station.

15 The distance from a living dwelling has not
16 really been clarified, because as this pipeline goes through
17 our subdivision, it appears to be literally right next to a
18 lot of the houses, and almost on their personal property.
19 So I would like to get some clarification on that. I know
20 the neighbors have all been notified, but they're still
21 coming to the association wanting clarification, and I'd
22 like to be able to tell them something.

23 Storm and stream runoffs are going to be affected
24 as it parallels those streams, this gas line. And this is a
25 very congested area, to boot. So the proposed line goes

1 around through an environmentally-sensitive area; the
2 alternate is coming right through the subdivision. Also,
3 just environmental congested area. I'd like some
4 clarifications on when you do your tour tomorrow, if you
5 would definitely take a look at that area.

6 Now I've been told there is potential for
7 horizontal drilling rather than trenching. How deep is this
8 pipeline? I've heard 3 feet, I've heard 15 feet. If you're
9 drilling 3 feet, you're still going to --

10 DR. YUILL: Typical minimum is 3 feet; under some
11 farms it's 5 feet; under other roads and drainage ditches,
12 it's deeper. If they're talking about horizontal
13 directional drilling, it can be anywhere from 15 to 30 or 35
14 feet, and it can even be deeper than that.

15 But if they trench it, it's typically three feet
16 of cover.

17 MS. VAN HOUTEN: Okay. Now with the easement
18 being 25 feet from an existing -- we'll say, that's what
19 most consistently I've heard, 25 feet, and then there's
20 another 25 feet on the other side for the easement right-of-
21 way, that takes out an awful lot of trees; the property
22 values are going to drop like a rock. I have more questions
23 than I have comments at this point because I need to be able
24 to talk to these people and let them know; and I can't find
25 anything through FERC with regard to these regulations.

1 So if we can do that, and relocation to
2 underdeveloped albeit potentially future subdivisions I
3 think can be a great alternative, because there is an awful
4 lot of open land around us that will be eventually built on.
5 But if we can get the pipeline through there first, which
6 has already got no trees, I think we would have a better
7 chance of getting it installed.

8 That is all I have. I'm on your mailing list,
9 so.

10 One other point my neighbor here just mentioned
11 to me, there is a high tension line that runs, that will be
12 running right over the gas line. What effect that will
13 have, you know, should there be lightning strikes or
14 something along those.

15 (Applause)

16 DR. YUILL: Dawn Cassel and Lyla Kaplan.

17 MS. CASSEL: My name is Dawn Cassel. I live in
18 Victoria Crossing where I'm on 1609 Barbara Drive, and where
19 the current proposed pipeline is supposed to go, it's
20 basically right through my back yard.

21 We have so many concerns about this. We have
22 very small properties. I have less than a quarter acre. My
23 back yard is partly open space, only about a third of it is
24 even mine. And then we have a little bit of open space, and
25 then right behind that is Broadmont Park, this beautiful

1 park that was built just a few years ago; and the trees are
2 the only thing separating the walking path for the park from
3 our back yard.

4 So we have that concern. Also, if trees have to
5 be taken down for the easement, there aren't that many trees
6 there; and not only does it support a barrier for children
7 coming through the park to our yards, and also is -- there's
8 birds and animals living in the little forest there. We're
9 concerned, too, that the sun sets in that direction; so if
10 the trees are cut down, our utility bills are going to be
11 very high because we already get baked from the sun. If the
12 trees aren't there to supply the shade that we need, after
13 the sun starts to set we're never going to get a break from
14 the heat.

15 We are also concerned about the safety for our
16 children. There are a ton of children, especially on our
17 street, there are probably at least 30 little children on
18 the street, most of them under the age of 10. And if they
19 can't play out in the back yards, like I said they're small,
20 so they play outside, we're always in each other's yards.
21 How are we going to tell them 'you can't play back there'?
22 Or, God forbid, they get out and they go back there and
23 during the construction something could happen to them.

24 There's the danger of explosions. I mean, this
25 thing is so close to the houses on our street, and our

1 street gets narrower as it has up toward the cul-de-sac,
2 that my property has a worse case than some others, and as
3 it goes up there's people that hardly have any back yards
4 before the trees for the common area.

5 So where would they put this pipeline? I don't
6 even know if it would fit back there. They would have to
7 wipe out the entire barrier of the trees.

8 We're concerned our property values are going to
9 diminish. We live in a great area where there's a lot of
10 buildup, there's a lot of people moving into Chester County,
11 and our development is very popular. And we've seen houses
12 sell very quickly on our street. Unfortunately, we have
13 neighbors who move away, but the houses sell literally
14 within a week or so of going on the market. And if this
15 pipeline goes through, that's not going to happen. There's
16 actually one house that just sold, two doors up from me, and
17 the new neighbors are not pleased, because they bought this
18 house probably around April, as we got the first notice
19 about this pipeline going in, and they are very upset. Of
20 course they're not here because they're not living there
21 yet; but these are concerns we've had on our street.

22 Also there's an existing pipeline in our
23 development. It's only two streets down from ours, and we
24 can't even use the pipeline. I mean, it's going through our
25 back yard yet we can't use the gas from it for our utilities

1 or anything like that. So we're basically just supporting
2 somebody else's electric or utility convenience.

3 So basically those are my concerns, and I would
4 just ask you to please either consider alternate routes to
5 protect our children, our park, and our community, or just
6 to deny it totally. Thank you.

7 (Applause)

8 DR. YUILL: Lyla Kaplan and Lee Zola next.

9 MS. KAPLAN: I live on Poorhouse Road, and I'm
10 catecorner to the Downingtown compressor station for
11 Columbia Gas, and I have an easement through my property.
12 And I have concerns about compressor station engines, and I
13 think you called them interconnector sites; where those will
14 be, and if this will require new engines. I'm assuming it
15 will, at 2200 psi.

16 We have a criterion of a 45 decibel range, being
17 the compressor stations aren't allowed to go over that.
18 However, there's other issues that are not addressed by
19 FERC, which is low frequency Hertz decibel ranges that
20 compressor stations produce; and we had that problem with
21 Columbia when they put in the new line just two years ago.

22 We did work with them and they did address our
23 needs and they did put some kinds of buffers on them, and
24 the low frequency was appointed for, and it helped
25 immensely. We were ready to move, it was making us insane.

1 But I think all people that live close to compressor
2 stations need to be aware of the sound issues, and I think
3 it has an impact on wildlife as well.

4 And I also have questions about proximity to the
5 pipelines that are existing; I think a lot of people have
6 the same concerns. They had to dig I think like 30 feet at
7 my house, because we're across from a road and -- in between
8 a stream and a road. So if they have to go 30 feet, and 25
9 feet next to the existing pipeline, I'm very concerned about
10 safety issues. I can't imagine digging that deep wouldn't
11 affect the existing pipeline at all, for long term leaks or
12 long term explosions or whatever.

13 DR. YUILL: Are you saying the existing line went
14 that deep, the Columbia line went that deep?

15 MS. KAPLAN: The one that they just redid.

16 DR. YUILL: Went 30 feet deep?

17 MS. KAPLAN: Yes. Yes, they were digging out
18 massive amounts of earth.

19 And my final comment is just a comment; and that
20 is the need to pursue alternative fuels, more domestically-
21 produced fuels; biodiesel, ethanol, things of that nature;
22 solar power, wind power. We have the means and the
23 technology and the know-how to do these things, and I don't
24 understand -- I need more information about all of these
25 things. Thank you.

1 (Applause)

2 DR. YUILL: Thank you. Lee Zola?

3 MR. ZOLA: I am Lee Zola, 4 Sussex Place,
4 Downingtown, Tunbridge. Woods of Tunbridge I believe is the
5 official name. East Brandywine Township.

6 First of all, I want to thank everybody for being
7 here, including yourselves. This is a form which we can
8 speak what's on our minds, and we're taking full advantage
9 of that. I appreciate everybody's candor as well as holding
10 the emotion down, because this is a very, very emotional
11 issue.

12 That being said, I heard some terminology tonight
13 from that side of the table: congested easements. Well,
14 this is a roomful of congested easements. I happen to live,
15 and unfortunately you guys can't see this -(holding up
16 paper)- I happen to live in a development that has congested
17 easement. The large square is obviously my lot; the small
18 square is my home.

19 That diagonal line is Columbia Gas line's 1896.
20 That came through two, three years ago, and they upgraded
21 it. It was a disaster. I fought to save that one tree that
22 you see there, that plume is a tree. That tree is history.
23 Because they're talking about going anywhere from 25 to 45
24 feet west of 1896. Doesn't that come real close to that
25 small square which is my home?

1 Another condition. You talked about human
2 impacts, your terms. Well, that's a human impact. I don't
3 want a pipeline taking out my coffee table. That's exactly
4 what's going to happen. My foundation is at risk.

5 This equipment that was used on 1896's upgrade is
6 large equipment. The vibrations sustained in the home are
7 tremendous. The levels of dust in the home is unbearable.
8 I'm very concerned that my foundation will crack. Not when
9 they're there, but when they're gone. And then it becomes a
10 political battle: Come and fix my cracked foundation.

11 Because I know it's going to crack. This
12 equipment is like the size of railroad cars. Well, maybe
13 not that large; however, large equipment.

14 Another thing that this map really doesn't show
15 is, I have a field in the back of my house; it's a septic
16 draining field. Now, it goes along the back of the house
17 and trails toward 1896. Well, if the new line goes in, it's
18 going to go anywhere from 25 to 45 feet west of 1896, which
19 is actually going to get closer to my fields.

20 If you reach my fields, you reach the fields.
21 But it's the soil conditions around the fields that I'm
22 concerned about. Because you've disturbed that natural
23 sedimentary quality of the soil.

24 Well, there's another thing on this map that you
25 really can't appreciate, and that's in the upper section up

1 here. That's a tree line. I love that tree line. So do
2 the squirrels, so do the rabbits, so do the birds. That
3 tree line is history if this is approved, and if that goes
4 through.

5 You talked about natural impacts -- your words.
6 Mature trees, taking out mature trees, there is no money
7 that you can put in front of me that I will accept to take
8 out a mature tree. You can't take out a mature tree for
9 \$100 or \$200 or \$800. You can't do that, because it's
10 irreplaceable. That tree adds value to my property; it adds
11 shade, it adds color in the fall, it adds color in the
12 summer. It adds character in the winter. I love that tree.
13 I fought hard to keep that tree.

14 I can't stop them if that line comes through.
15 The tree line, same thing. It adds a degree of character to
16 my property, as well as to the people who live up 1896.
17 It's a shame. It's a shame.

18 Somebody made a recommendation today, and that is
19 through -- I hope I get this right -- through a little
20 creative corporate thinking where existing lines can be
21 shared. Let me cite a very simple example. I'm a
22 consultant at Fly. If an airline cannot accommodate me for
23 one reason or another, they put me on another airline, and I
24 can get home, safely, securely, and reasonably within an
25 acceptable tolerance.

1 Why can't these gas line companies, with Transco
2 and Columbia and all the others share their resources in a
3 way that makes this pipeline obsolete or unnecessary? We
4 can't do that as homeowners; it takes large organizations
5 that think outside the box and outside the envelope to come
6 to these tables and say "What's the capacity of your line,
7 and how full is it?" "What's the capacity of your line and
8 how full is it?" "Well, if you're only 60 and 40, why can't
9 we utilize that unused capacity?"

10 So with that, thank you once again for being
11 here, and please come up with other alternatives. Thank
12 you.

13 (Applause)

14 DR. YUILL: Maureen Zola.

15 MR. ZOLA: I just spoke for her. Thank you.

16 DR. YUILL: George Supplee, Jr.

17 MR. GEORGE SUPPLEE, JR.: George Supplee, 1125
18 Romansville Road, West Bradford. I've got concerns about
19 the Supplee Farm once again. It's a whole family farm; I
20 guess my uncles moved there in the early Fifties.

21 My concerns are, eight years ago Columbia Gas
22 came through and brought another line through there, and in
23 the last meeting I talked to somebody from FERC, and they
24 told me they no longer oversaw Columbia Gas's work that had
25 come through there.

1 My concern is, if this pipeline does go through
2 and they do miraculously somehow get the topsoil back on top
3 of the ground so we can grow crops that we've been waiting
4 eight years now for the Columbia Gas fiasco that destroyed
5 it up there, what's to say eight years from now they don't
6 come back and they decide to bring another pipeline through,
7 and they destroy the ground? Now that we can no longer farm
8 again. Now it'll be triple the size, if not four times the
9 size of the area that they destroyed eight years ago, is
10 what they want to come through our farm. So I've got big
11 concerns over that.

12 The other thing is, my family pays the taxes on
13 that property. Now we can't even produce income on that,
14 the area where Columbia Gas came through before. It's
15 approximately 800 feet by 75 feet wide that we can't; we
16 tried growing corn on it, alfalfa and everything else, and
17 nothing seems to grow on it. And that's what I'm worried
18 about them doing this to us later.

19 I do have a question for you, though. I think I
20 heard someone say that you have to listen to DoT? Is that
21 true? What other agencies do you have to listen to?

22 MS. WACHHOLDER: Any agency that has a federal
23 permit such as the Corps of Engineers. They have a 404
24 permit for wetlands and water bodies, for stream crossings.
25 We have coastal zone consistency with the States. We have

1 Fish and Wildlife Service for threatened and endangered
2 species under the Endangered Species Act.

3 EPA -- NTSB? Not so much. There's regs for
4 that, I think. I haven't worked with anyone in that agency.
5 I work with mostly the environmental agencies, like I said,
6 EPA and the Corps, a lot. That's also another good aspect.
7 If there's a problem -- NRCS, too, for talking about crops.
8 They can help with soil and stuff like that.

9 Richard was just saying, one of the mitigation
10 measures that we've seen on other projects was topsoil
11 segregation, like you mentioned, and sometimes like soil
12 enrichments.

13 MR. GEORGE SUPPLEE, JR.: Yeah, that's what they
14 told us before, too.

15 MS. WACHHOLDER: That's what they told you last
16 time?

17 MR. GEORGE SUPPLEE, JR.: Yes, my uncle went up
18 there, and they had one great big pile of dirt. You know,
19 where's the topsoil at? "It's there." Where's the fill
20 dirt at? "It's there."

21 So when they mixed it all back together, so all
22 we have is shale on top of our ground now. We tried
23 multiple different types of fertilizer and everything else
24 to grow it, it just doesn't grow. So now we have a dead
25 piece of property on our farm.

1 My other big concern is, I guess -- I mean, all
2 we're doing is, we're still buying foreign oil or foreign
3 products. Our money is going out of the country. There's
4 got to be a way that we can do something; in the United
5 States as big as we are, there ought to be something that we
6 can do to make a better fuel or something. All the
7 scientists and everything else out there, there's got to be
8 a better way. And I just hope that you guys vote to
9 dissolve this whole problem for all of us. And I appreciate
10 your time. Thank you.

11 (Applause)

12 DR. YUILL: Margaret Rakus.

13 MS. RAKUS: Hi, I'm Margaret Rakus, 103 Heather
14 Hill Drive in Upper Uwchlan. I have several issues, a lot
15 of which you already heard about.

16 So the two I'm going to start with, I don't think
17 I've heard anyone address directly. The first one is that
18 where we live, we are part of the Limerick Nuclear Plant
19 evacuation plan, because we're within a certain radius of
20 that plant. So I haven't heard anyone addressing any issues
21 of putting in another LNG line within that proximity. It
22 seems to me there should be some conversation.

23 I'm really, really concerned with the AES
24 corporation. I have already, immediately upon receiving my
25 letter, asked them not to come on my property; I've told

1 them immediately that I did not want a survey. And yet a
2 woman knocked on my door, asking for a survey, and
3 presenting herself as a lawyer. She is a lawyer, but she's
4 not hired as a lawyer. So there's the first
5 misrepresentation.

6 She also told me that the line was already
7 definitely coming. There's the second misrepresentation.

8 I did call the project manager, Diane Schneider,
9 who apparently spoke to the woman and told me she thought it
10 was a personality conflict. I don't find truth to be in the
11 area of personality conflicts.

12 That given, I really don't trust anything they
13 say about safety, or their record, or any representation
14 they're making right now.

15 In addition to that, although no one has
16 specifically mentioned these safety issues, I know on line
17 people have talked about the actual construction of the line
18 is a safety issue. Leaks, explosions and sparking, that's
19 possible, and have happened on LNG lines. The possibility
20 of terrorist threats.

21 And in addition to where we are with all the new
22 home construction, we also have a lot of local
23 infrastructure projects planned right now, and I'm really
24 concerned about the pipeline coming through and the
25 infrastructure happening all at the same time.

1 I don't want to lose any more of my land. I
2 already have Columbia Gas coming through. Not only do I not
3 want to lose it because I like using it, and planting on it;
4 I bought a home in a certain area to be able to retire and
5 take the money I've earned by keeping that home in good
6 condition and use that to live on when I'm done working.
7 And I'm really concerned about my property value
8 diminishing, and there's no way, no matter how much somebody
9 says we're going to give me now, that they can know what
10 that is going to mean at the time that I'm ready to sell my
11 house.

12 I also have not seen personally any public
13 statement from Columbia Gas, and I would request that as a
14 regulatory committee, that their position on another gas
15 line be made public. Also, Pickering Valley School is the
16 elementary school my children go to. It is within the
17 Limerick Nuclear Plant evacuation plan.

18 Our superintendent has just retired, so I don't
19 know that anyone has contacted our school district to ask
20 them to come forward and make a statement of position or
21 opposition or any impact it will have on our school system.

22 So I would like to first request that some
23 communication to AES about appropriate representation to
24 homeowners be made. Second, I'd ask that somebody contact
25 our school district and invite them to please make a public

1 statement. And finally, I'd like you to please deny any
2 application for this gas line.

3 (Applause)

4 DR. YUILL: One small distinction; it may just be
5 nomenclature, but again, the line that's coming through here
6 is not an LNG line, it's a gas pipeline. The only thing
7 associated with LNG is the terminal down in Baltimore. It's
8 been turned into gas, and it does come up as gas. So small
9 distinction, but important.

10 Matthew Jones?

11 MR. JONES: Hello. My name is Matthew Jones, and
12 I live in the Dundalk area in Baltimore, Maryland. I was
13 going to attend the meeting last night but I couldn't
14 because I had a class.

15 So I am here tonight because I wanted to express
16 my concern with the LNG plant that will be built about two
17 miles south of where I live. Most people here have had some
18 rumors of what LNG is, and I realize that the pipe coming up
19 is just the gas that comes from that plant; so I realize
20 that there isn't as much harm up there as there is there.

21 However, I can't help but disagree with everyone
22 who is saying that they simply want the pipeline to just be
23 moved from point A to point B. For that to happen, that
24 would mean that the plant would still have to exist in my
25 area.

1 Now I'm not sure if people realize this, but LNG
2 isn't so much a concern of whether we are too dependent on
3 foreign product, or whether this line should be in point B
4 as compared to point A. This is a project that is a life-
5 or-death situation.

6 Now where I come from, there are thousands of
7 people that if anything happens to this plant have the
8 potential to be immediately eliminated from this planet.
9 That is very concerning to me. My aunt is Sharon Beasley,
10 she's the one who pretty much head started this entire
11 project; I'm seeing that she noticed. So I probably know a
12 lot about this product, I'm not an expert on it; however, I
13 just want to say that this is very concerning to me, because
14 I go to school right across the harbor from there, and then
15 I live right in that area, and basically all my activities
16 come from that area.

17 I'm also a 4-H'r so I have to live by the 4-H
18 motto. And I feel like if I weren't here today trying to
19 speak against the LNG plant, I wouldn't be trying to make a
20 better world for all of us to live in in future generations.

21 We have done so much in Maryland to make sure
22 that it's a beautiful state, and I just have a feeling that
23 if the LNG comes in, it's basically going to eliminate
24 everything that we have done to try and keep the State as
25 productive as it is.

1 So I'm asking everybody here to instead of asking
2 for a different proposition of the pipeline being from point
3 A to point B, to just ask for the application to be denied
4 in general so that people in my area don't even have to put
5 up with this. Because I heard a woman back here saying that
6 she's worried about her kids playing in their back yard
7 because this pipeline will be going through their yard.
8 Well, I don't want to sound rude, but where I'm from, that's
9 not our deepest concern at the moment.

10 So I'm just asking that everyone please go
11 against the LNG plant in general, because in my opinion
12 that's the only way that we're actually going to save this
13 country. Because if you thought September 11th was bad, if
14 something happens to the LNG plant, you haven't seen
15 anything yet. So thank you.

16 (Applause)

17 DR. YUILL: Morton Weiser.

18 MR. WEISER: As accustomed as I am to public
19 speaking -- which I haven't done in over 60 years -- what I
20 have to say may not appear to be entirely germane to the
21 issue, but I'd like to put it up even though I feel that
22 what is going on indicates that the pipeline is really a
23 fait accompli.

24 I think though, as I said at the last meeting,
25 that there are alternatives, and someone did bring up an

1 alternative; the gentleman who mentioned airplanes, for
2 instance. He used that as an analogy.

3 My point is that at the last meeting, I asked why
4 do we really need a pipeline? I said, why not send the gas
5 up to Philadelphia the way many other materials are sent up?
6 By ship. I was given an answer that it's too dangerous.
7 It's too dangerous.

8 Now what do they get at the Port of Philadelphia?
9 They get all kinds of dangerous materials and substances,
10 don't they? They get gasoline, they get explosives, and so
11 forth. They get certainly many things. Why do we really
12 need a gas line? Perhaps as I said this of course already
13 is a fait accompli; there's no question that the gas line is
14 probably coming. But like I was saying, maybe it isn't too
15 late to consider using ships in Baltimore; put the gas on
16 the ships and send it up to Philadelphia, and then it can be
17 sent to Eagle, which may be much shorter to put a pipeline
18 there, or transport it some other way.

19 That's all I'm asking for. Think of that
20 alternative just to this other gentleman who thought of the
21 analogy of using other airlines to have people in seats, and
22 so forth. That's all, just think of another option. Thank
23 you.

24 (Applause)

25 DR. YUILL: Russell Donnelly.

1 MR. DONNELLY: Good evening, honored
2 commissioners, ladies and gentlemen. My name is Russell
3 Donnelly, and I'm from the LNG Opposition Team in Baltimore,
4 environmental coordinator. We presented last night down in
5 Edgemere, where they want to build the plant. However, we
6 have taken part of the tour up here today, from Harford
7 County up to the Pennsylvania line, and it's too dangerous,
8 I don't like that. That's an emotional statement, yes; but
9 more specifically, you have many endangered species, you
10 have parks, you have historic land sites, sensitive areas
11 with high concentrations of people, and several riverbeds of
12 which there is really no clear-cut plan of what's going to
13 actually be done there.

14 You have alternatives, you're given alternate
15 ideas, but you haven't seen the clear blueprint for what is
16 being proposed from the mouth of the Bay up to Eagle,
17 Pennsylvania. We don't need alternatives; in fact, we don't
18 need this project at all.

19 (Applause)

20 MS. WACHHOLDER: That was the last person on our
21 list, so at this point if there's anyone who didn't sign up
22 to speak who would like to speak. I see one in the back.

23 MS. MAY: My name is Pamela May, and my husband,
24 Dwane May and I live in Southern Lancaster County, and we
25 are part of the proposed pipeline route. And I just would

1 like to say that, first of all, the young gentleman here who
2 spoke from Dundalk, Maryland, he was wonderful.

3 And I don't want to suggest an alternative
4 pipeline route, because that's going to put it in someone
5 else's front yard, their back yard. It's going to be their
6 trees, their stream. I really think that FERC needs to look
7 at totally, absolutely denying the whole entire project.
8 They need to look at AES's safety record, which totally,
9 absolutely sucks -- excuse my French -- and they also need
10 to look at the pipeline itself. I mean, this pipeline is
11 the first pipeline that AES has ever, ever laid in the
12 United States of America; and they want to put it in your
13 yard or my yard or my neighbor's yard? It shouldn't be.
14 The pipeline itself is under extreme amount of pressure.
15 It's dangerous, it's not environmentally -- there's nothing
16 good about it.

17 And as far as, my husband and I have tried to
18 speak with the DoT and the DER. They have no idea of what
19 we're talking about. They never heard of this. And also I
20 wanted to address the, I can't seem to lay down an exact
21 right-of-way from AES. I get different numbers; they want a
22 50 foot right-of-way but they want to use 75 feet of my
23 property, but they also want a 200 foot variance. I need to
24 know what is a 200 foot variance, what does that entitle
25 them to? These are questions that are still unanswered to

1 all of us as homeowners, as property owners. I think you
2 totally need to look at AES themselves; go through all their
3 paperwork, all their safety issues. And if it is allowed,
4 this is an 87-mile pipeline which forever, ever will change
5 all of our -- all the way from Dundalk, Maryland all the way
6 to Eagle, Pennsylvania. I mean, it's through the
7 Susquehanna River, it's everywhere. And nobody wants it.

8 I think we're all here for the same thing, and
9 that's all I wanted to say. Thank you.

10 (Applause)

11 MS. WACHHOLDER: Are there any other people?
12 Would you like to come up.

13 MS. PRESTON: I'm Dodie Preston, I live at 1617
14 Barbara Drive in West Bradford Township.

15 In listening to this, I've posed a few things
16 that have been crossing my mind since I first heard about
17 this. We live on probably the most beautiful and friendly
18 street in Victoria Crossing. I appreciate hearing all the
19 deeper concerns and the bigger picture that affects those of
20 us outside of this area.

21 Our neighbor behind us, I found out the other day
22 that Mary has actually been there for more than 50 years.
23 She's been in that home, on that property for more than 50
24 years. Between my property and the edge of her property,
25 there's roughly 40 feet. I see only one way for this to

1 actually go through our back yards, her side yard and my
2 back yard, all of Barbara Drive, down to Julie, out to
3 Poorhouse Road.

4 She's elderly, she's kind, she's sweet, she's a
5 wonderful neighbor; they both are. To move them would be a
6 hardship and a travesty. Between our properties there are
7 beautiful woods, allowing for nature, privacy; and the only
8 way to get that through is to completely destroy the woods.

9 I counted, sitting back there, included the kids
10 that are in college, 39 children on our street, on Barbara
11 Drive. I could be off by a few, but there are a lot. So
12 thinking about the consequences of a gas line accident
13 happening, our street, another street doesn't matter; it's a
14 huge impact. I've also heard about an easement needs to be
15 90 feet -- I don't know, we're all asking about easements,
16 we're all asking about specifics, which we don't have.
17 There's definitely not 90 feet between me and Mary's home.

18 I also heard the other day that West Bradford
19 Township told AES that they turned it down, they wanted to
20 preserve the park. Whether that's true or not, I don't
21 know.

22 Obviously I'm concerned about loss in property
23 values, I'm also concerned about the damage to our homes
24 caused by the construction to place the line, just in
25 talking to people about the only to get through the rock

1 that's down there is to blast it with dynamite; how would
2 that damage our homes? Could we ever be compensated for
3 that kind of damage.

4 Removing the woods will also increase our energy
5 bills, as someone else has brought up. I now have shade in
6 the summertime which keeps my house cool. To destroy the
7 woods would increase my energy bills by probably more than
8 double -- I'm guessing. Compressor stations, where are
9 they? We all want to know. High tension line, never heard
10 of that before tonight; that's a big concern.

11 I moved to the area due to health concerns,
12 specifically lung issues; I've recently beat those issues,
13 and I have a lot of concern about dust, which I've heard a
14 lot about tonight. Maintenance on the line is an issue, you
15 know. Do we have any rights whenever you come back to
16 maintain it or increase it or change it?

17 Obviously the danger from the high psi of the
18 line, danger for the children, loss of the woods, lost
19 wildlife, loss of privacy, loss of natural beauty, loss of
20 property value. Increasing utility cost, loss of trees of
21 approximately 100 years old, loss of my shade garden, which
22 is only my personal interest. Loss of park space, lack of
23 adequate compensation.

24 I honestly don't think there's a way for AES to
25 possibly adequately compensate those of us along this line

1 that are here tonight, and who are not here tonight, for the
2 losses and the inconveniences caused by the pipeline. Thank
3 you very much.

4 (Applause)

5 MS. WACHHOLDER: I see a couple other hands.
6 We'll start with this gentleman right in front of me.

7 MR. WEISS: Thank you for the opportunity to
8 speak this evening. I'm Trevor Weiss, W e i s s, 126 Elm
9 Way, in Downingtown, which is Brandywine Township, in the
10 Woods at Tunbridge.

11 Recently a woman representative of AES came to my
12 door, asking for permission to survey for the right-of-way.
13 And she told me it was important that the survey be done so
14 that they could accurately place the new pipeline in the
15 existing easement, and she reassured me that that was going
16 to be an eminently safe process; that they had technology
17 that will allow them to precisely place this new pipeline in
18 close proximity to the existing pipeline; but that also that
19 AES requested another 25 feet of easement space.

20 My question is, which is it? Can you safely put
21 a new pipeline in close proximity to an existing pipeline,
22 or do you need another 25 feet of my property? If you can
23 do it safely, in close proximity, and you don't need another
24 25 feet. Another 25 feet would destroy 100 year oaks that
25 I have on both sides of the present easement.

1 Another concern that I have is the location of
2 the pipeline as it crosses Rock Raymond Road near U.S. Route
3 322; it passes Downingtown West High School and the junior
4 high school, and comes within several hundred feet of both
5 of those schools. If there was a need to evacuate those
6 schools, the junior high is evacuable only in the direction
7 that the pipeline would be placed. So school buses will
8 have to go toward the pipeline if there's a need to do an
9 emergency evacuation.

10 I also question how many pipelines we would have
11 to tolerate within our easement. We had Columbia Gas come
12 through a few years ago, it was certainly implied if not
13 expressed that that would be the last pipeline we would see.
14 Now we're looking at a new pipeline of a scope and of a
15 pressure far beyond what Columbia did.

16 So my question for FERC is, when is enough
17 enough? Is this going to be the last one we're going to
18 see, or are we going to see another one in another four
19 years? What is the policy on how densely you can pack an
20 easement with pipelines? And I think we all deserve an
21 answer to that question.

22 And thank you for listening to my comments.

23 (Applause)

24 MS. WACHHOLDER: Okay, I see a woman right there.

25 Also, if there are a lot of you and you want to

1 back and sign up so that it's not just me pointing at you,
2 because I can't see this side as well, Laura can start
3 another list, too.

4 MS. ZOLA: My name is Maureen Zola, Z o l a. My
5 husband spoke earlier for both of us, but I had an
6 additional comment.

7 We are voicing our opinions tonight, which is
8 really very good, but my suggestion is that maybe we should
9 all write or e-mail our representatives in our area and ask
10 them to speak for us also, and I think that might be a very
11 beneficial thing.

12 Thank you.

13 (Applause)

14 MS. WACHHOLDER: Thank you. You have a list
15 started back there?

16 Okay.

17 MS. MARCHESE: My name is Amanda Marchese. I'm
18 from Victoria Crossing. I think one of my biggest concerns
19 is the people that this directly affects have many, many
20 questions that should have been answered before this was
21 even considered.

22 I think one of my biggest concerns is that we
23 have that for the safety of our children, for the
24 environment, for the property that we have, our property
25 values. And my big answer to those questions would be to

1 deny the application.

2 (Applause)

3 MS. WACHHOLDER: Thank you.

4 Do we have a list? No.

5 This gentleman here.

6 MR. MARISTCH: My name is Mike Maristch.

7 MS. WACHHOLDER: Could you spell that?

8 MR. MARISTCH: M a r i s t c h. I'm not here
9 with the Fire Company; I want to give some information about
10 --. Several years ago we got called out to a call near
11 Columbia Gas, the odor of gas, and we detected a leak in the
12 neighbor's driveway. I don't know all the details what came
13 out of it, but I understand the had a high pressure line at
14 Columbia Gas that was leaking, and the pressure was pushing
15 it out underneath the driveway of a neighbor's house.

16 The house was only probably 25 feet form the
17 driveway. What if it went through cinder block walls and it
18 was ignited, what would have happened to the plant or the
19 pipe? Safety issues of the people there would be my
20 concern. That's it.

21 (Applause)

22 MS. WACHHOLDER: Yes. This woman here.

23 MS. WHEELER: Hi. My name is Elizabeth Wheeler.

24 I live on Sunset Drive in Romansville, Coatesville. I'm
25 across from the Supplee farm; and this my house, where the

1 pipeline wants to run right down my driveway, which is
2 longer than this room, and it will run right alongside of my
3 house. (Diagram)

4 And if you come in, you'll be under my house. I
5 have the Verizon lines. Our development used to be a farm,
6 now it's a development with children. You'll go through
7 several other properties where the houses are, right by my
8 neighbors, who have four kids, who have three kids, which
9 I'm just reiterating what everyone else said.

10 I'd like it if you guys could come drive by our
11 development and see where we are, out in Romansville.

12 MS. WACHHOLDER: If you could give the exact
13 location to the folks in the back, we'll get you on the map,
14 and figure out where you fit in on the tour.

15 MS. WHEELER: Because we have the Columbia
16 easement all down there, and that also goes by West Bradford
17 Elementary School, which should be also checked out.

18 MS. WACHHOLDER: Okay. Thank you.

19 MR. CHURCHMAN: My name is Alex Churchman, and I
20 live at 1035 Welshares Way in the Uwchlan Hunt development.

21 There are a lot of concerns here, and I'm just
22 going to brush over a couple more. I was notified fairly
23 recently that this is going on, and here I am, I'm supposed
24 to show up tonight to oppose a position that I'm not even
25 sure almost what I'm opposing, except because I've dealt

1 with Columbia, I'm familiar with the problem.

2 A 25-foot temporary easement on top of their new
3 easement space will put their construction in my house, or
4 darn close to it, within feet, and I mean little feet. The
5 heavy machinery, the ground packing devices, will be so much
6 in the way of vibration, they could damage the house. Now
7 that's not really my main concern, but I have to say that if
8 they feel there's no environmental impact or anything, then
9 they should have no problem buying my house for me for a
10 fair price. I don't think they're going to do that.
11 Columbia wouldn't even consider it, and they came pretty
12 close.

13 How does one fight a massive international
14 corporation? 30,000 employees, 26 countries, 5 continents,
15 it's a protected utility company under the Federal Gas Act,
16 with the right to use eminent domain if they feel it's
17 necessary.

18 Pretty much, if you wanted to refuse them
19 permission right there in the front, big letters: Refuse
20 Permission next to grant permission, so you feel stupid
21 doing it. You know that eventually they're going to come
22 around with another way and survey anyway.

23 It's just massive; it's very hard to even feel
24 that you have a right on your own property to maintain your
25 property. Every time they come through they degrade my

1 property's value. It's now an old pipeline, which I hear
2 they're going to leave; they're not even abandoning it, but
3 it may be left behind. A fiber optic cable which was snuck
4 in under Columbia's name but not really Columbia's project.

5 There's a huge new pipeline -- how much metal are
6 they planning in putting in my front yard? Without removing
7 any metal that will not be used. What about recycling this
8 old pipeline? You know, does it need to be left behind in
9 the ground for no reason?

10 In addition, they always use -- they take bids
11 from everybody, they use the cheapest route, the cheapest
12 contractors, the cheapest subcontractors, cheapest material;
13 anything for a profit. Obviously they have our concerns in
14 mind, but that's to keep their own image better. So our
15 concerns really aren't in their mind; it's just to keep them
16 out of the spotlight.

17 So they'll take maybe the second lowest bid,
18 whatever it takes. But they never really consider us when
19 it's time to pay us for our loss.

20 Again, I don't really know the full picture, but
21 I'm here opposing a project that I know will be bad but I'm
22 not sure of the details of it; and I feel like I have to
23 kind of speak up now or not speak up. It's a national
24 homeland security risk from top to bottom. That guy's
25 right; 9/11 is nothing compared to what somebody could do

1 with this pipeline, the right information and the right
2 material.

3 Chesapeake Bay Watershed? Is that running
4 through it? That's not good. What about the fisherman on
5 the Bay, the crabbers, all the other industries already hurt
6 by some of this byproduct dumped into areas like this that
7 trickles into the Bay.

8 Property value. Well, we all know we're going to
9 lose. But basically, with all these different things, I
10 think that AEC needs to tell us homeowners exactly what they
11 need from us before we can oppose or approve. You know,
12 how many feet, how many temporary? Will they replant trees?
13 Will they do anything at all to try to return our property
14 to the state it was before they came through?

15 And the answer is, they're not. Columbia didn't.
16 Columbia showed very little respect for our property. They
17 did what they said they were going to do, but I mean to the
18 minimal extent granted by law. They really didn't try very
19 hard. And I've got to say again, every time I looked, it
20 was the cheapest something.

21 So I just ask you now, there has to be a better
22 alternative. We can't keep bowing to natural gas and oil
23 from other areas because we're so dependent that we'll just
24 drill through anybody's back yard to put it in.

25 Thank you very much. I appreciate it.

1 (Applause)

2 MS. WACHHOLDER: Yes.

3 MR. PLAIT: My name is Shanes Plait. {ph} I'm
4 probably, hopefully the last to speak here. The Romansville
5 area plus Bradford Township.

6 I want to bring up just a little point, tidbit
7 you might be interested in. We've discussed how it's going
8 through our property. My uncle, whose property it is, this
9 stretch that's going to go through our property is about a
10 half a mile long, and I appreciate everybody's talk about
11 how much it affects our property.

12 But my uncle whose property this is, who is the
13 one that is impacted the most, it goes right through the
14 property and yet he didn't receive a letter from AES. And I
15 quote my uncle, who had stated at the last meeting -- I
16 guess it was the AES meeting -- the government sure doesn't
17 have trouble finding him when he has to pay taxes on that
18 land, but for some reason AES wasn't able to contact him and
19 notify him. The only reason he found out was from our
20 neighboring family members who received this message whose
21 property it doesn't even go through, but yet his property --
22 he didn't get any kind of letter of notification. So it's
23 just kind of interesting.

24 Second thing I want to say is, and obviously I'm
25 speaking more from the farmer point of view and our open

1 space, and I appreciate the development -- people live in
2 developments and I respect their ability to prosper and
3 everything, but I've heard a lot of statements saying, you
4 know, I would urge you to look into the alternate routes. I
5 kind of want to say this to everybody: I think it's the
6 most important thing is we should really stand together and
7 just say don't even explore alternative routes --

8 (Applause)

9 -- get rid of it altogether, and that's the only
10 way we'll really, if we stick together and we say "Hey, we
11 oppose it completely, don't look at alternative routes where
12 you can go through and affect this person, affect that
13 person. You know, get rid of it completely." So that's my
14 statement. Thank you.

15 (Applause)

16 MS. WACHHOLDER: Thank you.

17 Another person?

18 SPEAKER: I know you said you're going on a tour
19 tomorrow, and I suppose most of the people here don't want
20 to stand on their sidewalk waiting for you or I. How does
21 one know where you're going to be when in case we want to
22 intercept you and show you something?

23 MS. WACHHOLDER: Well, we're starting from here
24 at 8, and then we're trying to -- right now we're trying to
25 figure out exactly where we're going to go. We have a list

1 of ideas of places that we want to stop. I think we're
2 probably going to have to revise it based on when some of
3 you all talk to us after this, so we can put you all on the
4 list.

5 We don't have a set schedule. Like today we were
6 supposed to end our tour at 1; we were done at like 2:30.
7 So I don't know exactly when we'll be anywhere. Do you
8 have any suggestions?

9 SPEAKER: I say you should tour the whole line.

10 SPEAKER: I agree.

11 AUDIENCE: The whole line.

12 MS. WACHHOLDER: Well, we're touring as much of
13 the line as we can access publicly. We can't just go
14 walking down the pipeline, the proposed right-of-way,
15 because we don't have access to the property. We're going
16 from public roads; we're not trespassing on anyone's
17 property, we don't want to be disrespectful, we want to stay
18 where we can see everything.

19 If we happen to be at somebody's house and you're
20 there and you say "Well, you can look in my backyard, but
21 this isn't like survey permission." We did that today. A
22 couple people said 'I want you to look in my back yard and
23 see what would happen to my trees.' So we spent some time
24 at her site.

25 SPEAKER: My question is, if we want you to

1 trespass -- but we want to trespass with you when you are
2 trespassing -- how do we connect with you when, short of
3 standing there from 8 o'clock in the morning, waiting for
4 you? And how will we know what kind of car you're in?

5 MS. WACHHOLDER: Well, what people did today is
6 they drove -- we had a big caravan of, everybody who was
7 interested met us at 8 a.m. at the Sparrows Point site, and
8 they followed us the whole time. That's how we got to some
9 people's houses. And that's really the only thing I can
10 suggest as far as that is concerned.

11 MR. SHANOR: David Shanor, 27 Kingpin Road, I
12 live in Little Britain Township. S h a n o r.

13 This is a question for you: Who's responsible to
14 tell us the truth? To let us know that the information
15 we're getting from everybody is the truth. We hear this
16 story, we hear that story. We hear a lady here that
17 somebody came and represented herself as a lawyer who was a
18 lawyer, but wasn't a lawyer at that time.

19 How do we know that these people from AES are
20 telling us the truth? Are you responsible for that or are
21 they responsible for that?

22 MS. WACHHOLDER: Our responsibility is, we're
23 preparing the Environmental Impact Statement. We're going
24 to confirm information like wetlands surveys; we have that
25 confirmed with the Corps.

1 MR. SHANOR: That's not important.

2 MS. WACHHOLDER: I think wetlands are important.

3 MR. SHANOR: I'm not speaking in that sense.

4 MS. WACHHOLDER: Okay.

5 MR. SHANOR: I'm speaking in the general sense.

6 The truth is more important than a little microcosm of
7 what's going on. How do we know that we're being told the
8 truth?

9 AES isn't going to come and say "Well, look,
10 we've got a small toehill here we're going to have to
11 protect."

12 MS. WACHHOLDER: We have other agencies we work
13 with; all the state agencies -- information like that we
14 would get from the state agencies and Fish & Wildlife
15 Service, because they're required by law and by regulation -
16 -

17 MR. SHANOR: What you're telling me --

18 MS. WACHHOLDER: -- we consult with these
19 agencies.

20 MR. SHANOR: What you're telling me is that we
21 have to rely on a copious number of people telling us the
22 truth and decipher from that our opinion if it is true or
23 not.

24 MS. WACHHOLDER: Well, luckily you get an
25 opportunity to comment on the draft Environmental Impact

1 Statement. There will be a 45-day comment period. If you
2 find something that we may have missed -- you know, we don't
3 live here; like I said, you know your area best. You may
4 know something that we didn't know. You can send in a
5 comment letter and we'll try to remedy that in the final
6 EIS.

7 MR. SHANOR: Thank you.

8 MS. WACHHOLDER: All right, there's too many
9 people raising their hands.

10 I saw your hand first. Come up to the mic and
11 state your name again, too.

12 MS. KAPLAN: I'm Lyla Kaplan, and I just wanted
13 to note, you said that the Commission, I think related to
14 what you were talking about, that FERC has to have a
15 Commission, board that approves it or denies it, is that
16 correct?

17 MS. WACHHOLDER: Yes. The way it works is, FERC
18 is a large agency, but we are headed by Commissioners.
19 These are the people that make the final determination. The
20 environmental part of it is one part of it; there's rates,
21 there's all sorts of things that -- engineering, things that
22 I'm not involved with. I'm just this little part.

23 They look at our environmental document, they
24 look at information they get from all these other
25 departments, and then they vote on whether to approve or

1 deny a project. If they do approve a project, they approve
2 the environmental conditions that the FERC staff, me and my
3 team, develop.

4 Say, one of the conditions we might say is that
5 they have to drill a particular river so they avoid
6 disturbing it. We would put that condition in our
7 environmental document, and they would include that in their
8 order to approve.

9 So that's how we help them, but they make the
10 final decision.

11 MS. KAPLAN: I guess what I'm wondering is, do we
12 find out who these people are and how they can be
13 accountable? How we know they are evaluating everything
14 fairly and in an unbiased manner, they don't have a vest
15 interested, they're not making a profit in some way. Can we
16 find out who these Commissioners are?

17 MS. WACHHOLDER: Yes. Our website www.FERC.gov,
18 you can click on the information on the seated
19 Commissioners. You can look into their background. They
20 have kind of like their resume stuff in there.

21 And then the final decision, if it's an order
22 approving, that will be made public on the docket for the
23 projects.

24 You can read that; it's a legal document, but
25 most of it's kind of -- you can understand it, I understand

1 most of it. And then there's chances for a rehearing if
2 there's an issue that's wrong.

3 All right, there were two.

4 MR. HARPER: Hal Harper, One Buckingham Drive,
5 Windsor Place, in Upper Uwchlan.

6 I wanted to make the people here aware that with
7 Columbia Gas, we used a West Chester law firm to ensure that
8 Columbia Gas met our requirements. That is really the only
9 way you get assurance; you use a law firm.

10 AUDIENCE: As a group?

11 MR. HARPER: As a group it would be a class
12 action suit.

13 This gentleman might be able to shed some light
14 on this.

15 AUDIENCE: Being a West Chester lawyer, but --

16 (Laughter)

17 AUDIENCE: What's your number?

18 AUDIENCE: 696-6200.

19 (Laughter)

20 MS. WACHHOLDER: If you're not at the mic, please
21 don't speak out, because we're not going to get it on the
22 transcript.

23 MR. HARPER: Number two, when AES was taking a
24 survey, some people said Yes with the understanding that
25 they could change their mind. Has anybody been given the

1 opportunity to change their mind, for a survey?

2 AUDIENCE: Yes.

3 AUDIENCE: No.

4 MR. HARPER: We've had a few in our development
5 that had not been given that opportunity.

6 MS. WACHHOLDER: I believe, if I'm getting this
7 right, you can contact the applicant at any point and
8 rescind your approval. Do you know about that, Richard?

9 DR. YUILL: That's usually correct, yes.

10 MS. WACHHOLDER: So you would contact them. It
11 might be good like by certified mail, send something that
12 says, you know: I'm not allowing you survey permission from
13 this point forward. Because then you'd have it in the
14 record or something.

15 MR. HARPER: Thank you.

16 MS. WACHHOLDER: Do we have other people's
17 comments?

18 Yes, sir.

19 MR. BRASSO: Russ Brasso. Windsor Place.

20 You spent the day touring, so far one day. Did
21 you have any results, reactions to what you've seen so far?
22 And I'll sit down.

23 MS. WACHHOLDER: At this point we're just trying
24 to get a feel for the project so we know what sorts of
25 questions we need to ask to develop our information. We got

1 a good feel for what some of the water body crossings look
2 like, where some of the residences were. It's still a work
3 in progress, and we just want to get a better understanding
4 so we know what questions to ask in the future. And that's
5 probably what we will be doing tomorrow as well, just get a
6 feel for alternatives, or issues that we think might be
7 problems.

8 I see a hand in the back.

9 MS. MAY: My name is Pamela May, and just one
10 final question to FERC: When can you give us a date or a
11 month, or when you will let us know if they're going to do
12 what they want to do?

13 MS. WACHHOLDER: The way the project is set up is
14 that everything that we get from the applicant, everything
15 that we get from anybody and anything that we issue is in
16 the public docket. So if we issue a letter, you would know
17 as soon as anybody else if you subscribe to the website or
18 check the website.

19 At this point we're in the pre-filing process, so
20 it's a process that leads potentially to an application from
21 the applicants by regulations, a minimum of six months in
22 this process. They started that in April, so they can't
23 file a formal application at the earliest until November.
24 And that's if we feel it's progressing well and we're
25 getting information we need.

1 But everything will be available; it's an open
2 door policy sort of thing; so you can check there. If you
3 have any concerns, you can always --

4 MS. MAY: So sometime in 2007, possibly? That's
5 when you would --

6 MS. WACHHOLDER: That would be the soonest, yes.
7 2007.

8 Do we have any other comments? Here.

9 MR. SOLWAY: Pete Solway, S o l w a y. 247 Kirks
10 Mill Road, that's Little Britain Township, Lancaster County.

11 I'm just not quite sure -- they can't actually
12 file their application until 2007, you said?

13 MS. WACHHOLDER: Until November is when they
14 could file a formal application.

15 MR. SOLWAY: Now your ability, you can either
16 accept or deny the application? Or do you only recommend
17 changes that they would have to do to make it acceptable?

18 MS. WACHHOLDER: We have minimum filing
19 requirements by law that they have to meet. That's our
20 standard that we have to go by. We may want additional
21 information, but that would be developed during, after the
22 application is submitted. If they didn't have the minimum
23 filing requirements, they'd be rejected. I tend to think
24 that most of these projects, they know what the minimum ones
25 are and they try to get that.

1 MR. SOLWAY: So what would be, what kind of
2 criteria would be after they got the minimal requirements to
3 deny them to do the project?

4 MS. WACHHOLDER: Well, we can't kick out the
5 application --

6 MR. SOLWAY: Right.

7 MS. WACHHOLDER: -- is per se.

8 Do you have anything, Laura? I don't want to
9 misspeak and say anything in the wrong direction.

10 MR. SOLWAY: I understand.

11 MS. TURNER: Basically we, the Environmental
12 Group, don't accept, deny anything. It's the Commissioners
13 that do. And so we will do this document.

14 If they file an application, we will write an
15 environmental assessment on it. We will give that to the
16 Commissioners. We will say these are what the impacts are
17 if you build the project.

18 MR. SOLWAY: Right. So it doesn't come with a
19 "we recommend this in order to let it go, or we don't
20 recommend this happening"?

21 MS. TURNER: What we can say -- what we will say
22 is: 'In order to reduce the impacts of the project, we
23 recommend that you use this alternative, use this
24 construction method, do this mitigation.' Then it's up to
25 the Commissioners to decide whether or not to accept or

1 reject the project.

2 MR. SOLWAY: In other words, it can't be a, "Due
3 to the safety, dub-dub-dub requirements, we do not recommend
4 this"?

5 MS. TURNER: No. We don't do that.

6 We have at times said we think that this system
7 alternative would have fewer environmental impacts.

8 MR. SOLWAY: Okay.

9 MS. TURNER: And then the Commissioners have to
10 decide whether they want to go with that alternative or go
11 with the proposal.

12 MR. SOLWAY: Thank you.

13 MS. WACHHOLDER: Thank you.

14 AUDIENCE: We've got a question here, who
15 appoints the Commission?

16 MS. WACHHOLDER: Commissioners are appointed by
17 the President. The President of the United States appoints
18 them, yes.

19 MR. SUPPLEE: And then I guess my original
20 question was -- Shay Supplee, again, from Romansville.

21 The question I have is, I don't know if you can
22 answer this or not, but historically has there ever been a
23 similar situation where a public outcry has blocked such a
24 pipeline? And if so, can you give us that as a reference,
25 that we can use as a basis to, to how we want to defend this

1 case.

2 MS. WACHHOLDER: I can't think off the top of my
3 head of one case that was denied solely because of that
4 reason. The reasons of --

5 AUDIENCE: What reason?

6 MS. WACHHOLDER: I'm not --

7 AUDIENCE: I mean, we can sit here and talk all
8 we want, I guess; but I guess does this mean this basically
9 is going on deaf ears, or are there other things we can do
10 to actually take the right steps that we can do to at least
11 express our opinion and at least it gets heard, to the right
12 people. Because you guys are just two people, but who are
13 the right people that we really want this to actually to be
14 heard by?

15 I mean I know we can write these letters of
16 concern and stuff, but really, how do we get to the right
17 people to hear the stories, I guess is my question.

18 MS. WACHHOLDER: Do you want to answer this.

19 This is Randy Mathura.

20 MR. MATHURA: My name is Randy Mathura. I'm a
21 contractor that works for FERC, but I worked for FERC for 36
22 years. So I think maybe I can clarify some of the recent
23 conversation.

24 The commissioners are appointed, it's true, by
25 the President, but they also have to be approved by

1 Congress; so it's not a unilateral body. The Commission is
2 a five man, independent commission; it's not part of the
3 Executive Branch, it's not part of the Judicial, it's not
4 part of the Legislative Branch; it's five independent
5 commissioners. The President does appoint the Chairman.

6 These commissioners vote, and the makeup of the
7 five commissioners, there are three who are members of the
8 party that's currently in the White House, and two that
9 aren't. So currently now it would be three Republicans, two
10 Democrats.

11 There are two vacancies on the Commission right
12 now, but typically there are five, and by the time this
13 project comes to a vote, it will be five commissioners. It
14 will be probably three Republicans, two Democrats, and
15 they'll vote on the project.

16 And they are independent. They do, of course
17 like all officials, respond to their parties. The way you
18 get heard is like you do on any other, on this general thing
19 that we're talking about; who do we talk to? Who do we talk
20 to to sway the project? Our opinions about the project.
21 You go through your elected representatives and your
22 senators, your local officials; you bring to bear the
23 political process. And that's really what you do.

24 You can also participate beyond the environmental
25 aspects, which we're really here to discuss tonight. I'm

1 not here to give you legal advice on how to oppose the
2 project; but you participate through the political process
3 and you can also intervene in this proceeding as an
4 intervenor; and you can say whatever you want beyond the
5 environmental process. You become a legal participant in
6 the process. You get into the record and make your opinions
7 known.

8 The Commission considers all of this evidence
9 when they vote on the project, along with the environmental
10 document.

11 DR. YUILL: Intervention starts when it's an
12 actual application.

13 MR. MATHURA: Thank you for clarifying that. You
14 can't intervene until it actually becomes a formal
15 application; and that would be like in the November time
16 frame.

17 Is there a question related to that general
18 process?

19 MR. WEISER: Can we see your report before you
20 publish it?

21 MS. WACHHOLDER: The Draft EIS is the first
22 public document that we send out; we don't have like -- we
23 have our internal working drafts where we fix, you know, dot
24 the i's and cross the t's and do that stuff, but the Draft
25 EIS is the first public document that is out there, for

1 everyone to see. And then you still have 45 days to comment
2 on that before we start preparing the final.

3 So that's kind of, like what you're asking for is
4 like a draft, something to look at before? The first one
5 would be the one you would look at, and then there will be a
6 second one that comes out that would be our final one.

7 MR. WEISER: Can we see the final one before it's
8 actually sent to the committee?

9 MS. WACHHOLDER: You'll see the final one, and
10 then -- the FEIS would come out before the Commissioners
11 have to vote on it, of course. It has to be out there for
12 at least 30 days before the Commissioners act on it
13 generally; but that's not set, it's not by regulation, a set
14 time. It's just it has to be out before they can act on it.

15 MR. WEISER: Can we make any comments when we
16 appeal anything? So they would make some changes, possibly?

17 MS. WACHHOLDER: After the FEIS, the only -- you
18 can still send in comments, but it won't, we don't have an
19 environmental document to address them in. It goes to the
20 legal stuff.

21 MR. MATHURA: After the final Environmental
22 Impact Statement is issued, there is a period of time before
23 the Commissioners vote upon it. And to the extent that
24 comments are received, if it's practical, they will be
25 considered. But there isn't a whole lot of time after the

1 Final Environmental Impact Statement is issued.

2 Once the Commission votes, then there's a
3 Commission order on the project, which adopts the Final
4 Environmental Impact Statement. That decision, that order,
5 is all subject to rehearing, where you can come back to the
6 Commission and ask for reconsideration of any particular
7 aspect of that order, including the environmental document
8 and its conditions.

9 Once the Commission acts on a rehearing, then it
10 becomes a final Commission order. At that point, it's then
11 eligible for judicial review in Federal District Court.

12 MS. WACHHOLDER: Well, at this point since this
13 isn't really a question/answer session -- I don't know all
14 the answers; we're here to gather information. Unless
15 anyone has any specific scoping comments like we did at the
16 beginning, I'm going to close the formal portion so the
17 court reporter can go home, and I can try and talk you in
18 the back or figure out the scope of where we should stop
19 near your homes tomorrow.

20 But at this point I'm going to close the formal
21 portion of this meeting, and I thank you for your
22 attendance.

23 (Whereupon, at 9:11 p.m., the scoping meeting at
24 Downingtown, Pennsylvania concluded.)

25